

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:

Richard A Kozarits
Kimberly Kozarits

Debtor.

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: Case No.: 19-36181
: Chapter 13
: Judge Deborah L. Thorne
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**AGREED ORDER RESOLVING MOTION FOR RELIEF FROM STAY AS TO REAL
PROPERTY LOCATED AT 8S336 VINE STREET, HINSDALE, IL 60521 (DOCKET #
53)**

This matter coming to be heard on the *Motion for Relief from Stay* (Dkt. #53) which was filed in this court by Fifth Third Bank, National Association ("Movant"), Movant and Richard A Kozarits and Kimberly Kozarits (collectively, "Debtor"), by and through his attorneys have agreed to a course of action which will condition the continuation of the automatic stay upon certain provisions incorporated herein for the protection of Movant;


Debtor failed to make regular monthly mortgage payments to Movant and is currently in default for the months of November 2020 through May 2021, incurring a total post-petition arrearage of \$17,741.48, which consists of 7 post-petition payments for November 1, 2020 through May 1, 2021 at \$2,357.64 each, and attorney fees and costs of \$1,238.00.

IT IS HEREBY ORDERED:

1. In order to eliminate said post-petition delinquency, Movant must receive the following payments by the corresponding dates:
 - a. \$1,971.28 on or before June 20, 2021;
 - b. \$1,971.28 on or before July 20, 2021;
 - c. \$1,971.28 on or before August 20, 2021;
 - d. \$1,971.28 on or before September 20, 2021;
 - e. \$1,971.28 on or before October 20, 2021;
 - f. \$1,971.28 on or before November 20, 2021;
 - g. \$1,971.28 on or before December 20, 2021;
 - h. \$1,971.28 on or before January 20, 2022;

- i. \$1,971.24 on or before February 20, 2022.
2. That Movant must receive the payments listed on Paragraph #1 on or before the corresponding date. If Movant fails to receive any one scheduled payment, the repayment schedule is void and if the Debtor fails to bring the loan post-petition current within ten (10) calendar days after mailing notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing notice of same with the clerk of the court.
3. Debtor must continue to make timely post-petition mortgage payments directly to Movant beginning June 1, 2021.
4. If Debtor fails to pay any two (2) future monthly mortgage payments on or before the date on which it is due and if the Debtor fails to bring the loan post-petition current within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing notice of the same with the clerk of the court.
5. If Movant has to send a Notice of Default, the Debtor shall pay \$100.00 per notice, as attorney fees, in addition to whatever funds are needed to cure the default prior to the expiration of the allowed cure period.
6. If this bankruptcy proceeding is converted to Chapter 7, dismissed or discharged, this Order shall be terminated and have no further force or effect.

ENTER:



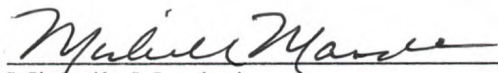
DATED: May 18, 2021

UNITED STATES BANKRUPTCY JUDGE

Submitted by:

/s/ Todd J. Ruchman

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